

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Applicant:

DOV MORAN

Serial No.: 10/089,188

Filed: July 2, 2002

For:

Examiner: MURIEL TINKLER

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Group Art Unit: 3691

Attorney
Docket: 246/167Commissioner of Patents and Trademarks
Washington, D.C. 20231This is to certify that this is being faxed by Mark Friedman
To the USPTO at fax number 571-273-8300
On 21 August 21-08-2007

Response to Restriction/Election Requirement with Traverse

Applicant respectfully traverses the restriction and election requirements. In order to justify a restriction requirement to different claim groups, the PTO must explain why each listed group is supposedly distinct from each of the rest.

For example, with respect to claim group I, the PTO must explain why it is supposedly distinct from claim groups II, III, IV, V, and VI. However, although the PTO communication of June 21, 2007 discusses differences between claim group 1 and claims groups II and III, no reasons provided as support for the position that claim group I is distinct from groups IV, V, and VI. Thus, if applicant were electing group I for examination, there would be no justification not to examine also groups IV, V, and VI.

Even restriction between claim group 1 and claims groups II and III are respectfully traversed as improper. The mere description of group I as drawn to a device for controlling access to a resource with a USB bus and USB interface controller" is incorrect, because for example claim 42 does not even recite a USB bus and USB interface controller. Additionally, claim group II is described in the PTO communication as drawn to a "system for controlling data," but claim 18, one of the independent claims in that group, does not recite that "controls data" and claim 28, the other independent claim, are drawn to a method and not to "control data" as stated in the PTO communication.